

Appl. No. 10/642,718  
Amdt. dated July 7, 2004  
Reply to Office Action dated May 7, 2004

### REMARKS

Applicants thank the Office for the attention accorded the present Application in the May 7, 2004, Office Action. In that Action, the Office issued a restriction requirement, Claims 6 and 12 were withdrawn from consideration, and Claims 1-5, 7-11, 13, and 14 were rejected under the judicially created doctrine of obviousness-type double patenting.

Applicant affirms the election without traverse to prosecute the invention of Species I, claims 1-5, 7-11 and 13-14 but reserves the right to include all of the claims in Species I and II should a generic claim be allowed, pursuant to 37 C.F.R. §1.143, and without affecting Applicant's ability to later file divisional applications based on the non-elected claims of Species II.

Applicant encloses a terminal disclaimer in compliance with 37 CFR §1.321(c) to overcome the nonstatutory double patenting rejection.

Applicant believes that all of the pending claims should now be in condition for allowance. Early and favorable action is respectfully requested.

The Examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

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Respectfully submitted,



Dated: 7/7/04

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Robert R. Deleault  
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